

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 30TH DAY OF MARCH 2015/9TH CHAITHRA, 1937

Crl.MC.No. 895 of 2015

**CC 1453/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, VADAKKANCHERRY.
CRIME NO. 649/2013 OF PAZHAYANNUR POLICE STATION, TRISSUR DISTRICT.**
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PETITIONER(S)/ACCUSED NO.S 1, 2 & 4:

- 1. ARAVINDAKSHAN, AGED 43 YEARS,
S/O.SETHUMADHAVAN, KORAPPATHEE VEEDU,
THIRUVILLAMALA DESOM, THIRUVILLAMALA VILLAGE,
THIRUVILLAMALA P.O., PIN: 680 588, THRISSUR DISTRICT.**
- 2. PANCHALI AMMA, AGED 70 YEARS,
W/O.SETHUMADHAVAN, KORAPPATHEE VEEDU,
THIRUVILLAMALA DESOM, THIRUVILLAMALA VILLAGE,
THIRUVILLAMALA P.O., PIN: 680 588, THRISSUR DISTRICT.**
- 3. UNNIKRISHNAN, AGED 48 YEARS, KUNNATHETHU VEEDU,
PAMPADY DESOM, PAMPADY VILLAGE, THIRUVILLAMALA P.O.,
THALAPPILLY TALUK, THRISSUR DISTRICT.**

BY ADV. SMT.M.A.SHEEBA

RESPONDENT(S)/DEFACTO COMPLAINANT & STATE:

- 1. SANTHI, AGED 37 YEARS, D/O.ARAVINDAKSHAN,
PADAYATH HOUSE, THIRUVILLAMALA DESOM,
THIRUVILLAMALA VILLAGE, THRISSUR DISTRICT.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

R1 BY ADV. SRI.V.C.SARATH

R2 BY PUBLIC PROSECUTOR SRI.JIBU P.THOMAS

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 30-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' ANNEXURES:

ANNEXURE A: CERTIFIED COPY OF THE FINAL REPORT IN CRIME NO.649/2013
OF PAZHAYANNUR POLICE STATION, THRISSUR DISTICT.

ANNEXURE B: AFFIDAVIT SWORN TO BY VICTIM/INJURED/1ST RESPONDENT
SIGNIFY THE FACTUM OF SETTLEMENT OF THE DISPUTE
BETWEEN THE PARTIES.

ANNEXURE C: AFFIDAVIT SWORN BY THE VICTIM/INJURED/
1ST RESPONDENT SIGNIFY THE TERMS OF SETTLEMENT OF
THE DISPUTE BETWEEN THE PARTIES.

RESPONDENT(S)' ANNEXURES: - NIL

/TRUE COPY/

P.S. TO JUDGE

mbr/

B. KEMAL PASHA, J.

.....
Crl.M.C. No.895 of 2015
.....

Dated this the 30th day of March, 2015

ORDER

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This is a petition filed under Section 482 of the Code of Criminal Procedure.

2. Petitioners are the accused in Crime No.649/2013 of Pazhayannur Police Station registered for the offences punishable under Sections 498A, 323 and 406 of the Indian Penal Code.

3. Petitioners have come up with this petition for getting Annexure-A final report in Crime No.649/2013 of Pazhayannur Police Station as against the petitioners and all further proceedings based on it in C.C.1453/2014 pending before the Judicial First Class Magistrate's Court, Vadakkancherry, quashed.

4. The allegation against the petitioners is that they have tortured and harassed the de facto complainant, who

is the wife of the 1<sup>st</sup> petitioner, and treated her with cruelty within the meaning of Section 498A IPC, by demanding more dowry.

5. Heard learned counsel for the petitioners, the learned counsel for the de facto complainant, who is the 1<sup>st</sup> respondent herein, and learned Public Prosecutor.

6. According to the petitioners, all the matters in dispute between the petitioners and the de facto complainant have been amicably settled and presently, the de facto complainant has no complaints against the petitioners and, therefore, the proceedings against the petitioners may be quashed.

7. The de facto complainant, who is the 1<sup>st</sup> respondent herein, has filed an affidavit affirming that all the matters in dispute between her and the petitioners have been amicably settled and, therefore, she has no complaints against the petitioners and, therefore, all further proceedings in the matter referred to above can be

quashed. She has entered appearance through her counsel. The learned counsel for the de facto complainant also endorses the fact that the affidavit has been sworn in by the de facto complainant on her own volition.

8. When all the matrimonial disputes have been settled between the parties and as the de facto complainant has no complaints against the petitioners, it is only just and expedient in the interest of justice to quash the proceedings referred to above.

In the result, this Crl.M.C. is allowed and Annexure-A final report in Crime No.649/2013 of Pazhayannur Police Station as against the petitioners and all further proceedings based on it in C.C.1453/2014 pending before the Judicial First Class Magistrate's Court, Vadakkancherry are hereby quashed.

Sd/-  
**(B.KEMAL PASHA, JUDGE)**